IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16484 of 2004

Between:

D.V.R.Pallam Raju, S/o Suryanarayana,
R/o Kothapeta, East Godavari District

..... PETITIONER

AND

The Presiding Officer, Mandal Parishad, Kothapet & District Manager (Housing), Kothapet,
East Godavari District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the proceedings of the respondent in R.C.No.A61/2004 dated 08-09-2004 as illegal, arbitrary and violative of the rules issued in G.O.Ms.No.756, P.R.RD & R(Elec.III) Department dated 30-11-1994 read with circulars in vogue and contrary to the provisions of the A.P. Panchayat Raj Act and consequently to set aside the same.

For the Petitioner: MR.K.CHIDAMBARAM, Advocate

For the Respondent: MR.DANTU.SRINIVAS, Standing Counsel

The Court made the following :

ORAL ORDER:

Record produced by the respondent clearly discloses that the petitioner received the whip issued in annexure-III on 24-8-2004. Since the petitioner is already served with the whip, the respondent rightly issued the impugned order dt. 8-9-2004 disqualifying him to hold the office of the member-18 Vanapalli, MPTC, Kothapeta Mandal Parisahd of East Godavari District under Section 153 of A.P.Panchayat Raj Act,1994 for disobedience of the party whip in connection with the election to the casual vacancy of the President , Mandal Parishad, Kothapeta held on 25-8-2004.

In view of the same, no cause survives for adjudication in the present writ petition.

The writ petition is accordingly dismissed.

A.GOPAL REDDY,J

DT.4-10-2004

kmr

To

1. The Presiding Officer, Mandal Parishad, Kothapet & District Manager (Housing), Kothapet, East Godavari District

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